

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

EL ESPADA TIMOTHY LEE)
MATTHEWS, individually and on behalf)
of the ESTATE OF EDNA FAULKER)
MATTHEWS, individually and as class)
representatives of all others similarly)
situated,)

Plaintiff,)

v.)

Case No. 2:14-cv-02094-JTF-cgc

CITY OF MEMPHIS, JAMES IVY,)
WALTER CREWS, JAMES BOLDEN,)
WALTER WINFREY, LT. ARNOLD,)
LT. SANDRA MARSHALL, MAJOR)
DON CROWE, THE UNITED STATES)
JUSTICE DEPARTMENT, and ERIC)
HOLDER, US ATTORNEY GENERAL)

Defendants.)

**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION
GRANTING PLAINTIFF’S MOTION TO AMEND HIS COMPLAINT
CERTIFYING APPEAL WOULD NOT BE TAKEN IN GOOD FAITH
DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS* ON APPEAL
AND
ORDER OF DISMISSAL**

Before the Court is Plaintiff El Espada Timothy Lee Matthews’ *pro se* Amended Complaint. (Pl.’s Am. Compl., ECF No. 10). On March 26, 2014, this Court entered an Order referring all motions to the Magistrate Judge for Report and Recommendation, pursuant to 28 U.S.C. §§ 631-639. (Order Ref. Mot., ECF No. 13). On June 17, 2014, Magistrate Judge Charmaine G. Claxton filed her Report and Recommendation, recommending that Plaintiff’s Complaint be dismissed, pursuant to 28 U.S.C. § 1915, for failure to state a claim upon which

relief may be granted and that leave to proceed *in forma pauperis* on appeal be denied, pursuant to Fed. R. App. P. 24. (Report and Recomm., ECF No. 15). Objections were due by July 1, 2014, however, no objections were filed.

After reviewing the Magistrate Judge's Report and Recommendation, Plaintiff's Amended Complaint, and the entire record, the Court hereby ADOPTS the Magistrate's Report and Recommendation.

IT IS THEREFORE ORDERED that this case is DISMISSED.

IT IS SO ORDERED this 3rd day of July, 2014.

BY THIS COURT:

s/John T. Fowlkes, Jr.
JOHN T. FOWLKES, JR.
United States District Judge